IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(SPECIAL ORIGINAL JURISDICTION)

TUESDAY THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FIVE

: PRESENT :

THE HON'BLE MR.JUSTICE: **BILAL NAZKI**

AND

THE HON'BLE MR.JUSTICE: **C.V.RAMULU**

W.P. No. 15953 of 2005

Between:

Bharat Sanchar Nigam Limited, rep. by its Chief General Manager (Telecom), A.P. Circle, Doorsanchar Bhavan, Nampally Station Road, Hyderabad – 500 001.

Petitioner

AND

1. State Bank of India, rep. by Manager, Bank Street, Hyderabad.
2. Principal Secretary (Revenue), Govt. of A.P., Secretariat, Hyderabad.
3. Commissioner of Commercial Taxes, Govt. of A.P., Hyderabad.
4. Deputy Commissioner (CT), Govt. of A.P., Abids Division, 1st Floor, Beside Hotel Sai Prakash, Nampally Station Road, Hyderabad.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue appropriate writ order or direction particularly one in the nature of Mandamus to declare the action of the first respondent in transferring the amount of Rs. 37,19,37,709.59 through Bankers Cheque No. 769666 dated. 4-12-2003 to Respondent No.4 as illegal, void and arbitrary and consequently direct the respondent No.2 to 4 to pay back the amount.

The Petition coming on for orders and upon perusing the petition and the affidavit filed herein and the order of the High Court dated. 01-12-2004 and made in WPMP.No. 20780 of 2004 and upon hearing the arguments of Mr. R.S.Murthy, Advocate for the Petitioner and of Mr. M.Narender Reddy, Advocate for the Respondent No.1 and of G.P. for Commercial Taxes for the Respondents 2 to 4.

The Court made the following **ORDER:**

" The writ petition, in our view, will have to wait disposal till the matter pending before the Supreme Court is decided, in which we are told that arguments have already been heard and judgment has been reserved. The decision of the Supreme Court will have a bearing on this matter, therefore, we are adjourning this case indefinitely giving liberty to the parties to mention the case after the Supreme Court judgment is pronounced."

ASSISTANT REGISTRAR

// TRUE COPY //
for ASSISTANT REGISTRAR

To

1. The Manager, State Bank of India, Bank Street, Hyderabad.
2. The Principal Secretary (Revenue), Govt. of A.P., Secretariat, Hyderabad.
3. The Commissioner of Commercial Taxes, Govt. of A.P., Hyderabad.

4. The Deputy Commissioner (CT), Govt. of A.P., Abids Division, 1st Floor, Beside Hotel Sai Prakash, Nampally Station Road, Hyderabad.
5. The Chief General Manager (Telecom), Bharat Sanchar Nigam Limited, A.P. Circle, Doorsanchar Bhavan, Nampally Station Road, Hyderabad – 500 001.
6. Two CCs to G.P. for Commercial Taxes, High Court of A.P.Hyd(OUT)
7. Two spare copies.

SAH

HIGH COURT

NVR, J

DATE: 8-9-2005
NOTE: POST NEXT WEEK.

ORDER

W.P. NO. 19055 OF 1996

DIRECTION.

HIGH COURT

MVJ
DRAFTED ON: 8-9-2005

NVR, J

DATE: 8-9-2005
NOTE: POST NEXT WEEK.

ORDER

W.P. NO. 19055 OF 1996

DIRECTION.